

Estes Valley Stream and River Corridor Protection



Revision Date: October 2013

OVERVIEW

The following requirements and standards are intended to promote, preserve and enhance the important hydrologic, biological, ecological, aesthetic, recreational and educational functions that stream and river corridors, associated riparian areas and wetlands provide.

Regulations apply to all new development.



Source: EPA

DEVELOPMENT STANDARDS

No person shall engage in any activity that will disturb, remove, fill, drain, dredge, clear, destroy or alter any area, including vegetation, within stream or river corridors and their associated buffer areas.



Source: EPA

Structures and improvements for recreational, educational or scientific

activities such as trails, fishing access and wildlife management and viewing may be permitted in a buffer/setback area provided that a management plan that establishes long-term protection of the buffer/setback area is submitted and approved.

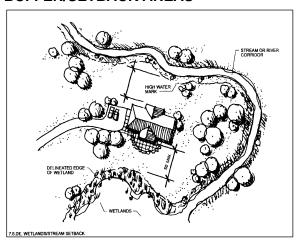
PRESERVATION OF VEGETATION

All existing vegetation within the stream/river corridor or wetland buffer/setback area shall be preserved, and where necessary to provide adequate screening or to repair damaged riparian areas, supplemented with additional native planting and landscaping.



Source: EPA

BUFFER/SETBACK AREAS



Streams. All buildings and accessory structures shall be set back at least thirty (30) feet from the annual high-water mark of stream corridors, or if not readily discernible, from the defined bank of the stream. Where defined banks are not

readily discernible, the setback shall be measured from the thread of the stream.

Rivers. All buildings and accessory structures shall be set back at least fifty feet from the annual high-water mark of river corridors or, if not readily discernible, from the defined bank of the river. All buildings and accessory structures shall be set back at least thirty feet horizontally from the annual high-water mark of river corridors.

Downtown Area. In the CD district, all buildings and accessory structures shall be set back at least twenty feet from the annual high-water mark of river corridors.

Where a principal building in the CD district provides public access, including a primary entrance, on the side of the building facing a stream or river corridor, the setback may be reduced to ten feet with the approval of the Decision-Making Body.

Parking Lots. Except in the CD zoning district, parking lots shall be set back at least fifty feet from the annual high-water mark of stream or river corridors, or if not readily discernible, from the defined bank of the stream or river. In the CD district, parking lots shall be set back at least twelve feet from the delineated edge of the river or stream corridor.

UTILITIES

No Alternative. Utilities may be allowed in a buffer/setback area only if the Decision-Making Body determines that there is no practical alternative.

Location. Utility corridors in buffer/setback areas shall be located at the outside edge of the area and access roads for maintenance of utilities shall be located outside the buffer/setback area.

Access. Access for maintenance of utilities in buffer/setback areas should be at specific points rather than parallel to the utility corridor.

Reclamation. Any disturbance of the buffer area shall be reclaimed by regrading and revegetation. Provisions for reclamation of

the disturbed area shall be included in any development or improvements agreement for the project, with adequate collateral to guarantee that the reclamation will be completed.



Source: EPA

BOUNDARY DELINEATION

Stream and river corridors shall be delineated at the annual high-water mark, or if not readily discernible, the defined bank of the stream or river.

Regulated stream and river corridors include streams and rivers are identified on the Stream and River Corridor Resource Map found in Appendix A of the development code, and includes the Big Thompson and Fall River. Streams include the Black Canyon Creek, Fish Creek, and various unnamed streams and minor drainages, some of which are intermittent.

US CORPS OF ENGINEERS PERMIT

Section 404 of the Federal Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including streams and rivers.



Contact the US Army Corps of Engineers at 303-979-4120 for permit information.

Note: This information was summarized from Estes Valley Development Code Section 7.6 Wetlands and Stream Corridor Protection. Please visit www.estes.org for complete development code requirements.